

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

In re	:	Chapter 11
KAISER GYPSUM COMPANY, INC., <i>et al.</i> , ¹	:	Case No. 16-31602 (JCW)
Debtors.	:	(Jointly Administered)

**NOTICE OF PROPOSED AGENDA OF
MATTERS SCHEDULED FOR HEARING ON
THURSDAY, MARCH 12, 2020, AT 9:30 A.M.**

UNCONTESTED MATTERS GOING FORWARD

1. **Debtors' Thirteenth Motion for Entry of an Order Extending Period Within Which the Debtors May Remove Actions Pursuant to 28 U.S.C. §1452 and Rule 9027 of the Federal Rules of Bankruptcy Procedure [Docket No. 2058]**
 - a. Related Pleadings: None
 - b. Objection Deadline: March 6, 2020.
 - c. Status: This matter is going forward.

CONTESTED MATTERS GOING FORWARD

2. **Debtors' Fifth Omnibus Objection to Lower Duwamish Waterway Claims (Glacier Northwest (Claim Nos. 30, 32, 48 and 56)) [Docket No. 2029]**
 - a. Related Pleadings: None.
 - b. Objection Deadline: February 25, 2020.
 - c. Status: The Debtors understand that Glacier Northwest plans to file a response to this Objection. Therefore, the Debtors expect that this matter will be going forward.

¹ The Debtors are the following entities (the last four digits of their respective taxpayer identification numbers follow in parentheses): Kaiser Gypsum Company, Inc. (0188) and Hanson Permanente Cement, Inc. (7313). The Debtors' address is 300 E. John Carpenter Freeway, Irving, Texas 75062.

3. Debtors' Motion for an Order Approving (I) Settlement with Certain Underwriters at Lloyds, London, Certain London Market Insurance Companies, Continental Insurance Company, Columbia Casualty Company & National Fire Insurance Company of Hartford & (II) Sale of Transferred Interests in Connection with Insurance Policies Related Thereto [Docket No. 2052]

- a. Related Pleadings: Limited Objection of TIG Insurance Company (Formerly Known as Transamerica Insurance and as Successor by Merger to International Insurance Company), and Evanston Insurance Company to Environmental Insurance Settlement Agreements [Docket No. 2118]
- b. Objection Deadline: March 6, 2020.
- c. Status: This matter is going forward.

4. Debtors' Motion for an Order Approving (I) Settlement with Munich Reinsurance America, Inc. and Executive Risk Indemnity, Inc. and (II) Sale of Transferred Interests in Connection with Insurance Policies Related Thereto [Docket No. 2053]

- a. Related Pleadings: Limited Objection of TIG Insurance Company (Formerly Known as Transamerica Insurance and as Successor by Merger to International Insurance Company), and Evanston Insurance Company to Environmental Insurance Settlement Agreements [Docket No. 2118]
- b. Objection Deadline: March 6, 2020.
- c. Status: This matter is going forward.

5. Debtors' Motion for an Order Approving (I) Settlement with Allianz Underwriters Insurance Company and Fireman's Fund Insurance Company and (II) Sale of Transferred Interests in Connection with Insurance Policies Related Thereto [Docket No. 2054]

- a. Related Pleadings: Limited Objection of TIG Insurance Company (Formerly Known as Transamerica Insurance and as Successor by Merger to International Insurance Company), and Evanston Insurance Company to Environmental Insurance Settlement Agreements [Docket No. 2118]
- b. Objection Deadline: March 6, 2020.
- c. Status: This matter is going forward.

6. Debtors' Motion for an Order Approving (I) Settlement with Insurance Company of the State of Pennsylvania and National Union Fire Insurance Company and (II) Sale of Transferred Interests in Connection with Insurance Policies Related Thereto [Docket No. 2055]

- a. Related Pleadings: Limited Objection of TIG Insurance Company (Formerly Known as Transamerica Insurance and as Successor by Merger to International Insurance

Company), and Evanston Insurance Company to Environmental Insurance Settlement Agreements [Docket No. 2118]

- b. Objection Deadline: March 6, 2020.
- c. Status: This matter is going forward.

7. Debtors' Motion for an Order Approving (I) Settlement with Transport Insurance Company and (II) Sale of Transferred Interests in Connection with Insurance Policies Related Thereto [Docket No. 2056]

a. Related Pleadings: Limited Objection of TIG Insurance Company (Formerly Known as Transamerica Insurance and as Successor by Merger to International Insurance Company), and Evanston Insurance Company to Environmental Insurance Settlement Agreements [Docket No. 2118]

- b. Objection Deadline: March 6, 2020.
- c. Status: This matter is going forward.

8. Debtors' Motion for an Order Approving (I) Settlement with Westchester Fire Insurance and Westchester Surplus Lines Insurance Company and (II) Sale of Transferred Interests in Connection with Insurance Policies Related Thereto [Docket No. 2057]

a. Related Pleadings: Limited Objection of TIG Insurance Company (Formerly Known as Transamerica Insurance and as Successor by Merger to International Insurance Company), and Evanston Insurance Company to Environmental Insurance Settlement Agreements [Docket No. 2118]

- b. Objection Deadline: March 6, 2020.
- c. Status: This matter is going forward.

9. Debtors' Motion for an Order Approving (I) Settlement with Westport Insurance Corporation and (II) Sale of Transferred Interests in Connection with Insurance Policy Related Thereto [Docket No. 2060]

a. Related Pleadings: Limited Objection of TIG Insurance Company (Formerly Known as Transamerica Insurance and as Successor by Merger to International Insurance Company), and Evanston Insurance Company to Environmental Insurance Settlement Agreements [Docket No. 2118]

- b. Objection Deadline: March 6, 2020.
- c. Status: This matter is going forward.

10. Debtors' Motion for an Order Approving (I) Settlement with Truck Insurance Exchange and (II) Sale of Transferred Interests in Connection with Insurance Policies Related Thereto [Docket No. 2061]

- a. Related Pleadings: Limited Objection of TIG Insurance Company (Formerly Known as Transamerica Insurance and as Successor by Merger to International Insurance Company), and Evanston Insurance Company to Environmental Insurance Settlement Agreements [Docket No. 2118]
- b. Objection Deadline: March 6, 2020.
- c. Status: This matter is going forward.

11. Debtors' Motion for an Order Approving (I) Settlement with Hartford Fire Insurance Company, First State Insurance Company, New England Insurance Company and Twin City Fire Insurance Company and (II) Sale of Transferred Interests in Connection with Insurance Policies Related Thereto [Docket No. 2077]

- a. Related Pleadings:
 - i. *Ex Parte* Motion to Shorten Notice [Docket No. 2078]
 - ii. *Ex Parte* Order Shortening Notice [Docket No. 2082]
 - iii. Limited Objection of TIG Insurance Company (Formerly Known as Transamerica Insurance and as Successor by Merger to International Insurance Company), and Evanston Insurance Company to Environmental Insurance Settlement Agreements [Docket No. 2118]
- b. Objection Deadline: March 6, 2020.
- c. Status: This matter is going forward.

12. Debtors' Motion for an Order Approving (I) Settlement with Allstate Insurance Company and (II) Sale of Transferred Interests in Connection with Insurance Policies Related Thereto [Docket No. 2083]

- a. Related Pleadings:
 - i. *Ex Parte* Motion to Shorten Notice [Docket No. 2085]
 - ii. *Ex Parte* Order Shortening Notice [Docket No. 2087]
 - iii. Limited Objection of TIG Insurance Company (Formerly Known as Transamerica Insurance and as Successor by Merger to International Insurance Company), and Evanston Insurance Company to Environmental Insurance Settlement Agreements [Docket No. 2118]
- b. Objection Deadline: March 6, 2020.

c. Status: This matter is going forward.

13. The First State Companies' Motion *In Limine* to Preclude Introduction of Privileged Evidence [Docket No. 2045]

a. Related Pleadings:

i. Exhibits to First State Companies' Motion *In Limine* to Preclude Introduction of Privileged Evidence [Docket No. 2046]

ii. Response and Conditional, Limited Objection of Lehigh Hanson, Inc. to the First State Companies' Motion in Limine [Docket No. 2117]

b. Objection Deadline: None stated.

c. Status: This matter is going forward.

14. Motion in *Limine* of the Official Committee of Asbestos Personal Injury Claimants and the Future Claimants' Representative to Exclude Certain Proposed Expert Testimony [Docket No 2090]

a. Related Pleadings:

i. *Ex Parte* Motion to Shorten Notice [Docket No. 2093]

ii. Order Granting Motion to Shorten Notice [Docket No. 2103]

iii. Response in Opposition to Motion in *Limine* of the Official Committee of Asbestos Personal Injury Claimants and the Future Claimants' Representative to Exclude Certain Proposed Expert Testimony [Docket No. 2125]

b. Objection Deadline: March 9, 2020.

c. Status: This matter is going forward.

15. Motion in *Limine* of the Official Committee of Asbestos Personal Injury Claimants and the Future Claimants' Representative to Exclude the Expert Testimony of Charles H. Mullin [Docket No. 2091]

a. Related Pleadings:

i. *Ex Parte* Motion to Shorten Notice [Docket No. 2093]

ii. Order Granting Motion to Shorten Notice [Docket No. 2103]

iii. Motion to Seal Expert Report [Docket No. 2094]

iv. Excess Insurers' Opposition to the ACC and FCR's Motion in Limine to exclude the Expert Testimony of Charles H. Mullin [Docket No. 2121]

- b. Objection Deadline: March 9, 2020.
- c. Status: This matter is going forward.

16. Debtors' Motion *in Limine* to Exclude the Expert Opinion and Testimony of Matthew W. Smith in Support of First States Objection to the Joint Plan [Docket No. 2096]

- a. Related Pleadings:
 - i. *Ex Parte* Motion to Shorten Notice [Docket No. 2097]
 - ii. Order Granting Motion to Shorten Notice [Docket No. 2104]
 - iii. Amendment to attach correct pdf for Debtors' Motion *in Limine* to Exclude the Expert Opinion and Testimony of Matthew W. Smith in Support of First States Objection to the Joint Plan [Docket No. 2098]
 - iv. The First State Companies' Opposition to Debtors' Motion *in Limine* to Exclude the Expert Opinion and Testimony of Matthew W. Smith [Docket No. 2122]
- b. Objection Deadline: March 9, 2020.
- c. Status: This matter is going forward.

17. The Official Committee of Asbestos Personal Injury Claimants and the Future Claimants' Representative's Motion *in Limine* to Exclude Improper Opinion Testimony Offered by the Excess Insurance Companies [Docket No. 2106]

- a. Related Pleadings:
 - i. *Ex Parte* Motion to Shorten Notice for Hearing on Motion *in Limine* to Exclude Improper Opinion Testimony [Docket No. 2107]
 - ii. Order Shortening Notice for Hearing on Motion *in Limine* to Exclude Improper Opinion Testimony [Docket No. 2110]
 - iii. Motion to Seal Deposition Transcript of Andrew Tyler [Docket No. 2108]
 - iv. *Ex Parte* Motion to Shorten Notice for Hearing on Motion to Seal Deposition Transcript of Andrew Tyler [Docket No. 2109]
 - v. Order Shortening Notice for Hearing on Motion to Seal Deposition Transcript [Docket No. 2111]
 - vi. Excess Insurers' Opposition to the Objectors' Motion *in Limine* to Exclude Lay Testimony Offered by the Excess Insurers [Docket No. 2120]

vii. ICSOP's Opposition to the Objectors' Motion in Limine to Exclude Lay Testimony Offered by the Excess Insurance Companies [Docket N. 2124]

- b. Objection Deadline: March 9, 2020.
- c. Status: This matter is going forward.

Requests for telephonic appearances should be directed to hearings@ncwd.net.

This, the 9th day of March, 2020.

RAYBURN COOPER & DURHAM, P.A.

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